

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

NEW JERSEY ENVIRONMENTAL
FEDERATION,

Plaintiff,

v.

Civil Action No. 05-143 (KSH)

MONROE TOWNSHIP,

Defendant

ORDER

KATHARINE S. HAYDEN, U.S.D.J.

For the reasons stated in the opinion filed herewith,

It is on this 31st day of July, 2008,

ORDERED that NJEF's motion for partial summary judgment (D.E. 26) is **granted**; Monroe's cross motion for summary judgment (D.E. 29) is **denied**; and it is further

ORDERED that sections 3, 4, 5, 6, 7, and 11A of Chapter 77 of the Monroe Township Code are declared unconstitutional and Monroe Township is permanently enjoined from enforcing these provisions; and it is further

ORDERED that the parties shall meet with Magistrate Judge Shwartz for a settlement conference on the issue of damages and attorneys fees.

/s/ Katharine S. Hayden

KATHARINE S. HAYDEN
UNITED STATES DISTRICT JUDGE